

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION

FILED  
ASHEVILLE, N.C.  
FEB 22 2007  
U.S. DISTRICT COURT  
W. DIST. OF N.C.

UNITED STATES OF AMERICA,  
*ex rel.* James and Jane Lindsey,

Plaintiffs,

v.

Civil No. 1:06CV125

EASTER SEALS UCP NORTH  
CAROLINA, INC., NORTH CAROLINA  
DEPARTMENT OF HEALTH AND  
HUMAN SERVICES, DIVISION OF  
MEDICAL ASSISTANCE, AND  
DIVISION OF MENTAL HEALTH,  
DEVELOPMENTAL DISABILITIES AND  
SUBSTANCE ABUSE SERVICES,

Defendants.

FILED UNDER SEAL

ORDER

The United States, having declined to intervene in this action pursuant to the False Claims Act, 31 U.S.C. § 3730(b)(4)(B), the Court rules as follows:

IT IS ORDERED that,

1. The complaint be unsealed and served upon the defendants by the relator;
2. All other contents of the Court's file in this action remain under seal and not be made public or served upon the defendants, except for this Order and The Government's Notice of Election to Decline Intervention, which the relator will serve upon the defendants only after service of the complaint;
3. The seal be lifted as to all other matters occurring in this action after the date of

this Order;

4. The parties shall serve all pleadings and motions filed in this action, including supporting memoranda, upon the United States, as provided for in 31 U.S.C. § 3730(c)(3). The United States may order any deposition transcripts and is entitled to intervene in this action, for good cause, at any time;

5. All orders of this Court shall be sent to the United States; and that

6. Should the Relator or the Defendant propose that this action be dismissed, settled, or otherwise discontinued, the Court will solicit the written consent of the United States before ruling or granting its approval.

IT IS SO ORDERED, this the 22<sup>nd</sup> day of February, 2007.

  
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LACY H. THORNBURG  
UNITED STATES DISTRICT JUDGE